

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District of New York
(State)Case number (if known): _____ Chapter 11☐ Check if this is an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Northeast Brooklyn Partnership

2. All other names debtor used in the last 8 years
Include any assumed names, trade names, and *doing business* as names

3. Debtor's federal Employer Identification Number (EIN) 1 1 - 3 0 6 1 1 8 2

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>c/o Northeast Brooklyn Housing Development Corporation</u>	Number Street
	<u>132 Ralph Avenue</u>	P.O. Box
	<u>Brooklyn</u> <u>NY</u> <u>11233</u> City State ZIP Code	City State ZIP Code
	<u>Kings County</u> County	Location of principal assets, if different from principal place of business
		<u>See attached.</u> Number Street
		City State ZIP Code

5. Debtor's website (URL) None.

6. Type of debtor
☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☒ Partnership (excluding LLP)
☐ Other. Specify: _____

Debtor

Northeast Brooklyn Partnership

Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.naics.com/search/>.9 5 2 1**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No☐ Yes.District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

District _____ When _____ Case number _____
MM / DD / YYYY**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**☒ No☐ Yes.

Debtor _____ Relationship _____

District _____ When _____
MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known _____

Debtor Northeast Brooklyn Partnership
Name

Case number (if known) _____

11. Why is the case filed in *this* district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? *(Check all that apply.)*

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property? _____

Number Street

City

State

ZIP Code

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
- Contact name _____
- Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds***Check one:*

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor Northeast Brooklyn Partnership
Name

Case number (if known) _____

16. Estimated liabilities

- ☐ \$0-\$50,000 ☒ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

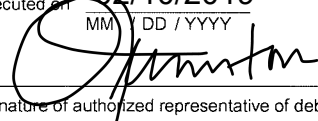
17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
☐ I have been authorized to file this petition on behalf of the debtor.
☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

 Executed on 02/10/2019
 MM / DD / YYYY

x



Signature of authorized representative of debtor

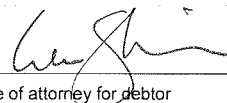
Jeffrey E. Dunston

Printed name

Title President and Chief Executive Officer

18. Signature of attorney

x



Signature of attorney for debtor

Date 02/11/2019

MM / DD / YYYY

Allen G. Kadish, Esq.

Printed name

Archer & Greiner, P.C.

Firm name

630 Third Avenue

Number Street

New York

City

NY

State

10017

ZIP Code

(212) 682-4940

Contact phone

akadish@archerlaw.com

Email address

2235315

Bar number

NY

State

Northeast Brooklyn Partnership
Locations of Principal Assets

4. Debtor's address: Location of principal assets, if different from principal place of business:

409 Kosciuszko Street
Brooklyn, New York 11211

403 Kosciuszko Street
Brooklyn, New York 11211

399 Kosciuszko Street
Brooklyn, New York 11211

397 Kosciuszko Street
Brooklyn, New York 11211

675 Halsey Street
Brooklyn, New York 11233

671 Halsey Street
Brooklyn, New York 11233

**PARTNERSHIP RESOLUTION OF
NORTHEAST BROOKLYN PARTNERSHIP**

The undersigned, being the general and limited partner of Northeast Brooklyn Partnership (the “Partnership”), a New York partnership, hereby resolve as follows:

WHEREAS, the Northeast Brooklyn Partnership (the “Partnership”) as a for-profit partnership holds its assets to be used for benefit of the Partnership; and

WHEREAS, its primary tangible assets are properties located at 409 Kosciuszko Street, Brooklyn, New York; 403 Kosciuszko Street, Brooklyn, New York; 399 Kosciuszko Street, Brooklyn, New York; 397 Kosciuszko Street, Brooklyn, New York; 675 Halsey Street, Brooklyn, New York; and 671 Halsey Street, Brooklyn, New York (the “Buildings”); and

WHEREAS, its assets are used consistent with the interests of the Partnership; and

WHEREAS, a state foreclosure proceeding has been commenced by the City of New York against the Partnership and the Buildings; and

WHEREAS, due to the lack of cooperation by the City of New York the Partnership has been unable to re-finance the mortgage loans which are the subject of the foreclosure proceeding; and

WHEREAS, the Partnership believes that it will be able to re-finance the mortgage loan or explore sale options in a timely manner; and

WHEREAS, the state foreclosure proceeding against the Buildings, threatens to deprive the Partnership of its primary tangible assets and harm the interests of the Partnership; and

WHEREAS, the undersigned have sufficient authority as the general partner and limited partner of the Partnership to act in furtherance of the interests of the Partnership; and

WHEREAS, by use of the provisions of Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”), the Partnership believes it will both protect its primary tangible asset and further the interests of the Partnership,

Now, therefore be it:

RESOLVED, that, given the authority duly provided to the undersigned, and given that in the judgment of Northeast Brooklyn Partnership (the “Partnership”), it is desirable and in the best interests of the Partnership, its creditors and other interested parties, a petition be filed by the Partnership seeking relief under the provisions of Chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”); and it is further

RESOLVED, that, Cheryl’s Villa Housing Corporation and North Hill 1 LLC, as general and limited partner of the Partnership, hereby agree that Jeffrey E. Dunston (the “Authorized

Signatory”) be and hereby is authorized, empowered, and directed, in the name and on behalf of the Partnership, to execute and verify a petition under Chapter 11 of the Bankruptcy Code and to cause the same to be filed in the United States Bankruptcy Court for the Eastern District of New York (the “Bankruptcy Court”) at such time as he shall determine; and it is further

RESOLVED, that, the law firm of Archer & Greiner, P.C., 630 Third Avenue, New York, New York 10017, is hereby employed as attorneys for the Partnership in the Partnership’s Chapter 11 case; and it is further

RESOLVED, that, the Authorized Signatory be, and hereby is, authorized, empowered, and directed to execute and file all petitions, schedules, motions, lists, applications, pleadings, and other papers and, in connection therewith, to employ and retain all assistance by legal counsel, accountants, financial advisors, and other professionals and to take and perform any and all further acts and deeds that such Authorized Signatory deem necessary, proper, or desirable in connection with the Partnership’s Chapter 11 case, with a view to the successful prosecution of such case; and it is further

RESOLVED, that the Authorized Signatory and such other persons as the Authorized Signatory shall designate from time to time, and any agents (including counsel) designated by or directed by the Authorized Signatory be, and each hereby is, authorized, empowered, and directed, in the name and on behalf of the Partnership to cause the Partnership to negotiate, enter into, execute, deliver, certify, file, and/or record, and perform such agreements, instruments, assignments, motions, affidavits, applications for approvals or rulings of governmental or regulatory authorities, certificates, or other documents and to take such other actions, as in the judgment of any such officer shall be or become necessary, proper, and desirable to effectuate a successful reorganization of the Partnership’s business; and it is further

RESOLVED, that the Authorized Signatory and such other persons as the Authorized Signatory shall from time to time designate, be, and each hereby is, authorized, empowered and directed, in the name and on behalf of the Partnership to: (i) negotiate, execute, deliver and/or file, in addition to the agreements, documents, and instruments referenced herein, such other agreements, documents and instruments and assignments thereof as may be required or as such Authorized Signatory deem appropriate or advisable, or to cause the negotiation, execution and delivery thereof, in the name and on behalf of the Partnership in such form and substance as such Authorized Signatory may approve, together with such changes and amendments to any of the terms and conditions thereof as such officers may approve, with the execution and delivery thereof on behalf of the Partnership by or at the direction of such Authorized Signatory to constitute evidence of such approval, (ii) negotiate, execute, deliver and/or file, in the name and on behalf of the Partnership any and all agreements, documents, certificates, consents, filings, and applications relating to the resolutions adopted and matters ratified or approved herein and the transactions contemplated thereby, and amendments and supplements to any of the foregoing, and to take such other actions as may be required or as such Authorized Signatory deem appropriate or advisable in connection therewith, and (iii) do such other things as may be required, or as may in their judgment be appropriate or advisable, in order to effectuate fully the resolutions adopted and

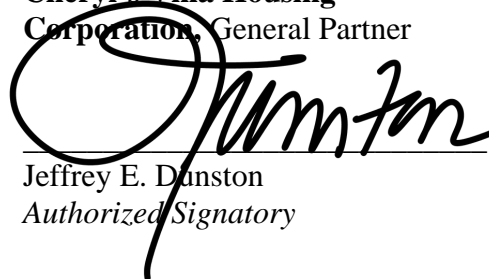
matters ratified or approved herein and the consummation of the transactions contemplated thereby; and it is further

RESOLVED, that the Authorized Signatory and such other persons as the Authorized Signatory shall from time to time designate, be, and each hereby is, authorized and empowered on behalf of and in the name of the Partnership to execute such consents of the Partnership as the Authorized Signatory considers necessary, proper, or desirable to effectuate these resolutions, such determination to be evidenced by such execution or taking of such action; and it is further

RESOLVED, that any and all past action heretofore taken by the Authorized Signatory of the Partnership in the name and on behalf of the Partnership in furtherance of any or all of the preceding resolutions be, and the same hereby is, ratified, confirmed, and approved.

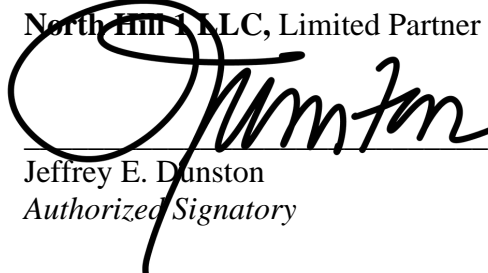
IN WITNESS WHEREOF, the undersigned partners of the Partnership has hereunto set our hand this 11th day of February, 2019.

**Cheryl's Villa Housing
Corporation, General Partner**



Jeffrey E. Dunston
Authorized Signatory

North Hill LLC, Limited Partner



Jeffrey E. Dunston
Authorized Signatory